IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO.87 OF 2006

Commissioner of Central
Excise, Belapur .. Appellant.

V/s.

M/s.Deepak Fertilizers & Petro-
chemicals Corp. Ltd. .. Respondent.

Mr.S.M. Shah with Mrs.S.V. Bharucha for the appellant.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 27TH JUNE, 2006.

P.C. :

Mr.S.M. Shah, learned counsel appearing for the Revenue concedes and submits that there is no material on record to show the marketability of the goods in question. In that view of the matter, no question of law involved in this appeal.

2. The appeal is dismissed in limine with no order as to costs.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)